

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-20110-CR-GAYLES/GOODMAN

UNITED STATES OF AMERICA,

Plaintiff,

v.

CLEMENTA JOHNSON,

Defendant.

/

ORDER AFFIRMING AND ADOPTING REPORT OF MAGISTRATE JUDGE

THIS CAUSE comes before the Court on Defendant Clementa Johnson's Motion to Dismiss Count Sixteen (16) of Superseding Indictment (the "Motion"). [ECF No. 90]. The Court referred the Motion to Chief Magistrate Judge Jonathan Goodman pursuant to 28 U.S.C. § 636(b)(1)(B) for a Report and Recommendation. [ECF No. 91]. On May 7, 2025, Judge Goodman issued a Report recommending that the Court deny the Motion (the "Report"). [ECF No. 113]. Neither party has filed objections to the Report.

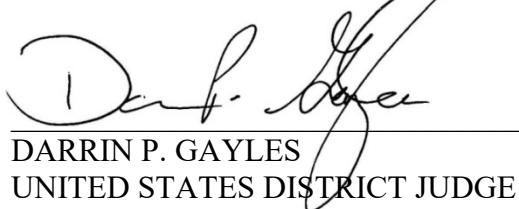
A district court may accept, reject, or modify a magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1). Those portions of the report and recommendation to which objection is made are accorded *de novo* review, if those objections "pinpoint the specific findings that the party disagrees with." *United States v. Schultz*, 565 F.3d 1353, 1360 (11th Cir. 2009); *see also* Fed. R. Civ. P. 72(b)(3). Any portions of the report and recommendation to which *no* specific objection is made are reviewed only for clear error. *Liberty Am. Ins. Grp., Inc. v. WestPoint Underwriters, L.L.C.*, 199 F. Supp. 2d 1271, 1276 (M.D. Fla. 2001); *accord Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006).

Having reviewed the Report for clear error, the Court concurs with Judge Goodman's findings and well-reasoned analysis. Accordingly, it is

ORDERED AND ADJUDGED as follows:

- (1) The Report and Recommendation [ECF No. 113] is **ADOPTED in FULL**;
- (2) Defendant Clementa Johnson's Motion to Dismiss Count Sixteen (16) of Superceding Indictment, [ECF No. 90], is **DENIED**.

DONE AND ORDERED in Chambers at Miami, Florida, this 28th day of May, 2025.



DARRIN P. GAYLES
UNITED STATES DISTRICT JUDGE